

MEETING
STATE OF CALIFORNIA
LANDS COMMISSION
NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT
REPORT AND NOTICE OF PUBLIC SCOPING MEETING

MALIBU CITY HALL
23815 STUART RANCH ROAD
MALIBU, CALIFORNIA

TUESDAY, MAY 3, 2011
6:04 P.M.

TIFFANY KRAFT, CSR
CERTIFIED SHORTHAND REPORTER
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APPEARANCES

STATE LANDS STAFF

Mr. Kenneth Foster, Public Land Management Specialist,
Land Management Division

Mr. Eric Gillies, Assistant Chief, Division of
Environmental Planning and Management

Ms. Crystal Spurr, Staff Environmental Scientist, Division
of Environmental Planning and Management

ALSO PRESENT

Mr. Russell H. Boudreau, Moffatt & Nichol

Mr. Kenneth Ehrlich, Trancas Property Owner's Association

Ms. Tonia McMahon, Moffatt & Nichol

PUBLIC COMMENT

Mr. Thomas Kazberian

Mr. Hans Lautz

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PROCEEDINGS

STAFF ENVIRONMENTAL SCIENTIST SPURR: We're going to get started with the scoping meeting for the Notice of Preparation for the proposed Broad Beach Restoration Project EIR. We're going to be transcribing this meeting so we can get a record of all the comments that are made tonight.

We have a sign-in sheet. If everyone would please sign in, we'll have your name and address so we can add you to our mailing list, if you're not already on it.

We have speaker slips, too, if you'd hand those in if you'd like to speak. And you can also write on the back if you have comments you want to submit in writing. You can submit comments to us by mail, e-mail, or fax to the address on the NOP.

My name is Crystal Spurr. I'm a Staff Environmental Scientist with the California State Lands Commission. I'm the staff person that will be managing the preparation of the EIR for the Broad Beach Restoration Project.

There are two other people from the State Lands Commission: Eric Gillies, who is the Assistant Division Chief of the Environmental Planning and Management Division; and Ken Foster, with our Land Management Division, who will be handling the lease of State lands

1 for this project.

2 California State Lands Commission is the lead
3 agency under CEQA for the preparation of the EIR. We have
4 a process that we use to hire a consultant to assist us
5 with the preparation of the EIR. The consulting firm that
6 the State does hire will do a third-party review of all
7 the information that is provided to us by the applicant,
8 the Trancas Property Owners' Association. The consulting
9 firm will also provide any supplemental information that
10 may be needed or additional studies that will be needed
11 for the EIR.

12 The NOP, the Notice of Preparation, was mailed to
13 everyone on our mailing list, which was about 590 people,
14 including State, federal, local agencies, special
15 districts, other organizations, and property owners within
16 a 500-foot radius.

17 On April 15th, the NOP was out for a 30-day
18 public comment period, which will end on May 16th. We'd
19 appreciate you providing us written comments within this
20 public review period.

21 Our proposed schedule for release of the draft
22 EIR is in November of 2011. At that time, the Notice of
23 Availability will be mailed to everyone on our mailing
24 list of the draft EIR. We will provide a 45-day public
25 review period. During that time, we will also have two

1 public meetings, just like we're holding for the scoping,
2 where we will receive public comments on the draft EIR.

3 Once the comment period has ended on the draft
4 EIR, we will prepare a final EIR, which will include
5 responses to all the comments and any changes to the draft
6 EIR. The proposed schedule for release of the final EIR
7 is in March of 2012. A copy of the final EIR will be
8 mailed to everyone who's made comments. It will probably
9 be electronic on a disk.

10 We will also send a Notice of Availability of the
11 final EIR, which will include a date, time, and location
12 where the EIR will be taken to our Commission where they
13 will make a decision on whether to certify the EIR and
14 whether to approve the Broad Beach Restoration Project.
15 We are expecting a Commission meeting to be held in May or
16 June of 2012.

17 Are there any questions on the EIR process at
18 this time?

19 So we're going to have a presentation on the
20 proposed Broad Beach Restoration Project. I would like to
21 introduce Ken Ehrlich, who is representing the applicant,
22 the Trancas Property Owners' Association.

23 MR. EHRLICH: Thank you, Crystal.

24 I serve as outside counsel for the Trancas
25 Property Owners' Association and the proposed Broad Beach

1 Geologic Hazard Abatement District as well.

2 Broad Beach is a mile long beach of private
3 homes. The project area is essentially in yellow on that
4 map. The project area includes all of the private
5 property from the Point Lechuza, but not the actual house
6 on the point itself. There is a large house actually on
7 the point, and that's not within the project area. Begins
8 with the home right next door to that and goes all the way
9 down and includes the home next to Trancas Creek. There
10 are 114 homes within that project area, and that's exactly
11 where we're talking about working.

12 Seventy-seven of those homes currently have
13 seaward of them an emergency revetment that was built in
14 early months of 2010. That emergency revetment as
15 proposed would be made permanent by this project in its
16 current location and covered with sand. The project does
17 not include the inclusion of additional rocks. There was
18 one home toward the eastern end of the project area.

19 And just so we're clear, the coastline in that
20 area goes from west on the Ventura side to east on the
21 Santa Monica side. If I'm talking about west, it's
22 essentially up or north, and east is down or south. There
23 is one home on the eastern side of the project area
24 eastern -- toward the eastern end that doesn't have rocks
25 that there's about a 100-foot gap in the rocks. That will

1 remain. And if the project moves forward, that home will
2 just get sand.

3 The same with homes further west of the emergency
4 revetment, which ends at 31346 Broad Beach Road. Those
5 homes will just get sand contoured toward the homes into
6 the dune system. But the existing revetment, the existing
7 emergency revetment, will be permitted and essentially
8 form the core of the restored dune system at Broad Beach.

9 Broad Beach throughout earlier decades was, in
10 fact, a very wide beach of more than 100 feet, probably up
11 to 200 feet, from the 50s through the early 70s. And the
12 intent of this project is to rebuild and restore the beach
13 to that with what it was.

14 In recent years, due to recent storms and other
15 natural causes, the beach has eroded essentially to
16 nothing. There was significant property damage done to
17 two homes in late January and early February of 2010 due
18 to storms as well as significant sand erosion. And Russ
19 can get more -- Russ Boudreau and Tonia McMahon of Moffatt
20 Nichols is the coastal engineer and engineers of record
21 for the emergency project as well as the permanent
22 project.

23 And my apologies for not introducing them sooner.

24 But Russ Boudreau of Moffatt and Nichols can go
25 more into the detail of the sand loss and the erosion and

1 the extent of it. But the intent is to restore the beach,
2 protect the homes, as well as restore a robust dry sand
3 public beach of Broad Beach that existed prior to all this
4 erosion.

5 As a side benefit of everything that we're
6 talking about of the project itself, access issues at
7 Broad Beach in our view should go away. There have been
8 decades of litigation, skirmishes, and other sort of
9 public policy debate at Broad Beach over what constitutes
10 public and private property. It is currently now a mess
11 the way that the public and private boundary has evolved.
12 Some homes have granted lateral access easement seaward of
13 the mean high tide line. Other homes have not. Some have
14 allowed their property to be deeded to the State up to the
15 streamline of the homes. It is far from uniform.

16 Part of one of the benefits of our project would
17 be an effort to make that public/private boundary uniform
18 and agreed upon by everybody, which should hopefully stop
19 the access issues at Broad Beach and have a real robust
20 dry sand public beach for the public to be accessed by the
21 existing two vertical access ways, one in between 31346
22 and 31340 as well as the other eastern access at 31 --
23 31112 and 31110, if I'm not mistaken. I might be wrong on
24 those numbers, but you get the point -- to continue to
25 have the vertical access ways which now have stairs over

1 them to accommodate for the revetment. The sand would be
2 built up so the stairs going down to the beach would be
3 covered by sand, as would be the entire emergency
4 revetment.

5 This is a solely privately funded project. The
6 project costs for the initial sand nourishment is
7 somewhere in the neighborhood of \$10 million. The
8 permitting is probably another \$2 million. It has been
9 privately funded to date and it will continue to be
10 privately funded.

11 We have reached out to the City of Malibu Lands
12 Commission, the Coastal Commission, and a whole host of
13 other State and federal and local agencies to get the
14 emergency project done. We'll reach out to the same
15 agencies and maybe more depending upon the scope of the
16 project as we move forward. But the private homeowners
17 are committed to restoring the beach, making a significant
18 public benefit, and protecting their homes and adding to
19 the public and adding to the luster of Broad Beach and
20 bringing it back to what it was.

21 So thank you. And Russ, take it away.

22 MR. BOUDREAU: Great. Thank you, Ken.

23 (Thereupon an overhead presentation was
24 presented as follows.)

25 MR. BOUDREAU: So we'll start with just the

1 location. To point out, this is Broad Beach here, Point
2 Lechuza here. Point Dume down here. I point this out
3 because it's important the location relationship of Broad
4 Beach. And then immediately down drift or to the
5 southeast is Zuma Beach and then Point Dume State Beach.
6 Very popular public beaches. So that's important as we go
7 forward.

8 --o0o--

9 MR. BOUDREAU: So Moffatt Nichols got started
10 working with the Broad Beach Homeowners' Association,
11 which is called the Trancas Property Owners' Association,
12 the TPOA, back in 2009. And they were interested in
13 moving forward with a long-term beach restoration project.
14 This is an aerial photo of what the beach looked like at
15 the west end back then suffering from shoreline erosion.
16 Not much sandy beach, problems with damages and things
17 like that. So this is the situation in 2009.

18 --o0o--

19 MR. BOUDREAU: The interest was let's see if we
20 can bring the beach back to how it was back 40 years ago.
21 And this is an aerial photo back in the early 1970s. So
22 the interest is to basically restore the beach and the
23 shoreline and the dune system to what it was back 40 years
24 ago.

25 --o0o--

1 MR. BOUDREAU: Don't worry about the technical
2 aspects of this graph. I just want to make a couple of
3 important points that come from this.

4 We've done a good number of technical studies
5 that investigated the shoreline erosion, the amount of
6 sand that's being lost on the beach, things such as that,
7 so we can plan for the future project.

8 So a couple things that are important from this
9 graph. One is that since the late 60s or early 70s, on
10 the average, Broad Beach has lost about 20,000 cubic yards
11 per year. Okay. But then recently, in the past six years
12 or so, seven years, 2004 to 2009, it's accelerated a bit
13 to 35,000 cubic yards per year. Okay. So keep those
14 numbers in mind as we talk about the volume of beach
15 nourishment we're talking about.

16 --o0o--

17 MR. BOUDREAU: So what was put in place to
18 respond to shoreline erosion on a temporary basis were
19 these temporary geo textile bags. Those were approved by
20 the City and the Coastal Commission on a temporary basis
21 until a longer-term project was achieved. However, as we
22 got started in mid to late 2009 rolling into the winter
23 season, high tides and storm waves were basically really
24 causing havoc. A lot of these temporary sandbag
25 revetments were failing.

1 Here's a photo here that shows the photo of a
2 residence immediately adjacent to the western access and
3 this patio structure was completely undermined due to
4 waves and sand erosion. A lot of these were ready to
5 fail.

6 And what's important to be aware of is a lot of
7 these properties, particularly toward the west end, have
8 their septic systems between the home and the beach. So
9 some of them were within feet of being undermined and
10 basically falling into the ocean. So it was time to take
11 action on an emergency basis. So that's what was done.

12 --o0o--

13 MR. BOUDREAU: So in late 2009, there was an
14 emergency situation, and so we worked very closely with
15 the City of Malibu and got an emergency coastal
16 development permit from them. We also met with the
17 Coastal Commission and also got an emergency coastal
18 development from them to put in a temporary rock revetment
19 basically to draw the line to protect -- to reduce any
20 further erosion such we didn't lose septic and leach
21 system fields, which would have a dramatic negative impact
22 to the water quality of the beach. So that was done.

23 But the stipulation being that that was done on a
24 temporary basis. And says here the Coastal Commission
25 granted the emergency CDP in January of 2010 conditioned

1 upon the TPOA coming back within 18 months with a
2 long-term project, which is the project we're talking
3 about today.

4 --o0o--

5 MR. BOUDREAU: This is just a listing of the
6 other permits that were gathered as a part of the
7 emergency temporary revetment project explaining that was
8 just a temporary project leading towards this long-term
9 solution.

10 --o0o--

11 MR. BOUDREAU: So I know a lot of people that saw
12 the rocks on the beach said, how could you let this
13 happen? What are we doing putting more rocks on the
14 beach? So it's important to know that's just an interim
15 measure. We had to do that to protect the septic systems,
16 to protect the structures. But this just falls into the
17 long-term beach nourishment project, which is what we're
18 talking about today. So the work was not completed here.

19 --o0o--

20 MR. BOUDREAU: So what is the proposed project?
21 It's a beach nourishment and dune restoration project that
22 basically restores the historically wide beach. It adds
23 sand and it restores the dune system and dune habitat with
24 this increased beach width. As Ken mentioned, it then
25 restores the lateral public access along the beach, better

1 vertical access to the existing access ways.

2 And what is also included is the existing
3 temporary revetment is going to be left there buried as
4 you see here at -- and a slide will come up -- buried here
5 such that -- and I'm going to talk about this a bit more.
6 You put a beach nourishment project on that's got a
7 certain life, towards the end of the life, you put another
8 beach nourishment project. If it gets near the end of the
9 life of the beach nourishment project and there's limited
10 sand on the beach and let's say there is a series of
11 storms or big storms, the temporary revetment is there
12 protecting the leach fields, protecting the homes as
13 needed, but then in place for the next beach nourishment
14 episode to follow.

15 --o0o--

16 MR. BOUDREAU: So this just gives you again a
17 perspective. The beach dune system is about 1550-feet
18 wide. The beach nourishment project, about 100-feet wide.
19 And an average -- this is an existing shoreline profile, a
20 past profile of the beach. So you see the depth of sand
21 typically is about 10 to 15 feet of sand on top of what's
22 out there now.

23 --o0o--

24 MR. BOUDREAU: So again, the beach berm, which is
25 the flat part of the beach, it's roughly 6,000-feet long

1 by 100-feet wide, built to an elevation to approximately
2 +14, which is a typical flat beach elevation in Southern
3 California. It varies a bit. But that's a typical
4 average elevation. The dune will be more focused towards
5 the -- everywhere but the west end. There really wasn't a
6 dune there. And so it doesn't make sense to build up the
7 dune there. So that will probably just be the beach
8 nourishment project without the higher dune, but then to
9 build up the dune, plant the dune, and actually then
10 protect the existing dune habitat that exists further to
11 the east.

12 And so to do this, we're talking about a beach
13 nourishment project on the order of 600,000 cubic yards.
14 And we estimate that the life of that project is going to
15 be on the order of ten years. Obviously, we can't predict
16 exactly how it's going to be, because that's going to be
17 affected by waves and things such as that.

18 But again, I talked about over the past 40 years
19 the beach has lost on the average of 20,000 per year.
20 Recently, it's been 35,000 per year. So you can see the
21 600,000 should be more than enough to get us through
22 ten years, but that we don't want to have no sand left on
23 the beach at the end of ten years. We want to have enough
24 so that we can trigger to put a new beach nourishment
25 project out there. Plus, there's some safety buffer as

1 well. So we think that 600,000 cubic yards of sand is a
2 good number for the initial beach nourishment project.

3 --o0o--

4 MR. BOUDREAU: So we've been working on a number
5 of studies basically to get us where we are to the point
6 where we're ready to put this project forward for
7 entitlement. So what we call a Phase I study, this is
8 basically a coastal process and coastal engineering study
9 this was completed a little over a year ago, and then a
10 sand source investigation that looked into the feasibility
11 of actually putting sand on the beach. Are there viable
12 sources nearby, and how much might they cost.

13 --o0o--

14 MR. BOUDREAU: So the key findings of the studies
15 to date is, like I said, I talked about the erosion rates
16 of 20 and 35,000. But based upon that, we're pretty
17 comfortable that those loss rates make it feasible to do a
18 beach nourishment project, that it's something that would
19 last long enough with that volume that it could be viable.

20 Another important thing to mention is that the
21 net transport of sediment or sand is basically along the
22 shoreline from west to east. And so Zuma Beach and
23 beaches down drift are a direct benefactor. So there is a
24 huge public benefit to this project, because the sand is
25 just going to move and nourish those beaches. And through

1 the studies we've done, no surprise, Broad Broach is
2 losing sand. So is Zuma Beach. So this is going to be a
3 real boom to the public beaches down drift as well.

4 --o0o--

5 MR. BOUDREAU: We don't want to put forward a
6 beach nourishment project if there aren't any good viable
7 sources of sand nearby in terms of quality and nearby in
8 terms of economics.

9 So what we've done, we've done a couple things.
10 We did an initial study that looked at existing and
11 available information about sources of beach sand. And we
12 found that based upon studies that were available, there
13 is good sources of sand nearby with sufficient volume and
14 quality. There's also, if needed, there's good on-shore
15 sources. We would have concerns about those in terms of
16 environmental impacts of truck trips and things like that,
17 but it's good to know they're available.

18 So the studies that are ongoing right now -- and
19 these are studies that will basically be technical
20 appendices to the EIR. One is the off-shore sand source
21 investigation. The off-shore sand source investigation
22 has been in two phases. We just completed the first
23 phase, which is basically a geophysical evaluation where
24 some consultant goes out and does geophysics to get a
25 better map of sand sources in terms of their spatial

1 extent, how deep they are, and then they also took grab
2 samples to get a feel for the quality of the sand, the
3 color, the grain size, its compatibility on the beach. We
4 just completed the geophysical program recently. We
5 prepared a sampling and analysis plan to do the second
6 phase.

7 We met with the various agencies last week and
8 were very close. We expect approval of our sampling and
9 analysis plan this week. And what that plan will then
10 allow us to do would be to do vibrant cores, where we go
11 out and take core samples full of depth of where we may
12 dredge. So we can get samples of the sand so we can
13 understand its characteristics, its quality, to make sure
14 that any source we look at would be clean, free of any
15 contaminants or any other unacceptable material such that
16 it is beach quality material.

17 We've also as part of the project have a regular
18 program of beach profiling such that we're kind of
19 measuring the without project performance right now. We
20 typically measure the beach profile toward the end of
21 winter, which is right about now at the end of summer. So
22 we've been doing a biannual beach profiling program. And
23 also some preliminary marine and dune habitat surveys have
24 been conducted.

25 In addition to that, we're also doing some

1 studies of -- we want to understand more about the causes
2 of erosion such that we can plan better for the future.
3 So some ongoing studies up drift of the shoreline to try
4 to get a better feel for the causes of erosion are
5 underway.

6 And also, too, what's going to be important as
7 part of the EIR is where is the sand going to go? Is it
8 going to cover sensitive rocky habitat, things like that?
9 So we're going to apply models as a tool to predict sand
10 coverage over time as the beach nourishment is in place
11 and evolves.

12 --o0o--

13 MR. BOUDREAU: And then efforts to date in terms
14 of the entitlement of the project, we've been spending a
15 lot of time with the various agencies talking about the
16 project, applying for permits. And then what we're here
17 today is for the Notice of Preparation and the public
18 scoping meeting for the EIR process. So that's kind of
19 the summary of the project.

20 We'd be happy to take any questions you might
21 have on it. Thank you.

22 Actually, I was going to mention one thing that I
23 meant to. One interim measure that we're going to use or
24 we would like to use -- and we've mentioned it to the
25 agencies and they're responsive to the idea. We're doing

1 this beach nourishment project here. And over time, the
2 sand is gradually going to move this way. So typically
3 beaches on this end will narrow before these. So what
4 we'd like to do to extend the life of the beach
5 nourishment project is be allowed to do some interim back
6 passing. Don't put new sand on the beach. But if there's
7 still sufficient width here, perhaps move some of that
8 sand back up here. Like it's a conveyer belt, but move
9 some of it back up here just to extend the life of the
10 project. We put that in there, and we're going to talk
11 about that in the EIR, but that has received some positive
12 response thus far from the agencies.

13 STAFF ENVIRONMENTAL SCIENTIST SPURR: Did you
14 have a question?

15 MR. LAETZ: Yes, I have a whole bunch of
16 questions.

17 STAFF ENVIRONMENTAL SCIENTIST SPURR: Would you
18 state your name?

19 MR. LAETZ: Sure. My name is Hans, H-a-n-s. My
20 last name is Laetz, L-a-e-t-z.

21 And I'd like to start by saying thank you. This
22 is a marvelous project, and I really appreciate the TPOA
23 for doing it and for the State Lands Commission for doing
24 it right.

25 That said, it's not done right yet. The

1 statement that I sent you, which I've sent both sides,
2 it's hard to express in a legal statement like that,
3 technical statement, the emotions and the feelings that we
4 have. We really want our beach back and we really
5 appreciate that.

6 But I'm really surprised to see a lack of mention
7 of Trancas Creek and Lagoon and the ongoing restoration
8 effort there. The National Parks Service and the State
9 Resources Conservation District of Santa Monica Mountains
10 are in the midst of acquiring that lagoon for restoration
11 and possible expansion.

12 It's not an EIR. And it's very, very important
13 that those agencies be consulted fully and that very
14 important questions be answered, like: What is a wider
15 beach going to be the effect on Trancas Creek? If that
16 beach is wider, does that mean the ocean is going to have
17 a harder time topping the berm? Which is a very important
18 matter because that lagoon dries up typically in the fall.
19 And in dry years, it's been dry year round.

20 And we've got a corollary issue there which also
21 isn't addressed in this, and that's the end of a project.
22 The last house on the east is currently a Coastal
23 Commission investigation going on, I think -- I'm not
24 sure -- about illegal engineering of the lagoon to drain
25 Trancas Lagoon, because he's concerned about water coming

1 either onto his property or flooding his septic tank. We
2 need to look at this time at a permanent solution that
3 will protect the poor man's house, but at the same time
4 address Trancas Lagoon and the ultimate restoration.

5 But the current interim situation with water
6 levels there and property protection for both the county
7 property, which is the lagoon, and the private property,
8 which is Mr. Klein's house I think it is, and we're going
9 to have to look at that. But I'm curious about that.

10 MR. EHRLICH: Can I ask you a quick question,
11 Hans? What is the -- will the project that you're talking
12 about in connection with Trancas Creek and Trancas Lagoon
13 and the purchase by a public agency, will that change the
14 flow at all or it's just to preserve what's already there?

15 MR. LAETZ: No. They're looking at -- in terms
16 of flow, you mean, like, freshwater flow into the creek
17 or --

18 MR. EHRLICH: Or additional saltwater flow back
19 and forth.

20 MR. LAETZ: They're not looking at engineering on
21 the beach as far as I know. But they are talking about
22 restoring a steelhead salmon fishery. How you can do that
23 without a nexus to the ocean, I have no clue. And they
24 are studying. And this needs to be -- as we all I'm sure
25 will agree -- needs to be an integral part of your --

1 MR. EHRLICH: Just so you know, too, from the
2 applicant's standpoint, there were mitigation measures in
3 connection with Trancas Creek for the emergency project.

4 MR. LAETZ: Right.

5 MR. EHRLICH: For example, when Trancas Creek was
6 flowing, there was no work. Work literally stopped. And
7 it rained a couple of times in the middle the project.

8 MR. LAETZ: Well, yes and no. During your
9 project, trucks were driving across there while the lagoon
10 was being replenished from the ocean, while there was high
11 tide water flowing into the lagoon. Doesn't matter.
12 Water under the bridge, quite literally.

13 And I want to point out the complaints we had in
14 there about the noise are proactive. We didn't make a
15 peep about this, because we think it was real important
16 those rocks be dumped during emergency project and that
17 the -- we're just worried about the possibility -- doesn't
18 sound like it's going to happen -- of more rocks coming
19 in. We now hear there's no more revetment coming in. So
20 that's fine.

21 But we don't know -- and we look with trepidation
22 at the western parking lot at Zuma Beach County Park
23 becoming again the staging area for trucks, equipment,
24 pipes. I've seen the Army Corps of Engineers do sand
25 piping at Mission Beach, for example. And they needed a

1 construction yard on the beach to keep the trucks and
2 their pipes and their Jeep and their various sundry
3 equipment.

4 And we understand there's probably no other
5 alternative. But this is a highly used public -- that end
6 of the beach at the time you're talking about doing it in
7 the fall is used for as the finish line for the -- and the
8 starting line for the Malibu Triathlon, for example, and
9 the Avon Breast Cancer Ride. That parking lot on the
10 beach is extremely heavily used in the fall. Not so much
11 in the wintertime when the emergency project. So
12 hopefully you can find a different place for your
13 construction yard this go-round. And also then you don't
14 have to drive through the creek.

15 The one other thing we probably didn't address
16 well enough in the statement I gave you was the issue
17 about parking and access to the new public beach. I'm
18 hearing \$12 million plus spent voluntarily by TPOA, which
19 is phenomenal. We're hugely appreciative. A lot of
20 money. The amount of gain of enjoyment that the
21 homeowners will have is incalculable. And they're going
22 to get a beach restored to their house, which will
23 increase the value. But more importantly, they're
24 enjoying the aesthetics of the property, too.

25 But we're going to get a public beach put in that

1 will finally be rid of the conflict and the bad blood from
2 years past. That's great. That's wonderful, too. But we
3 don't have a good way to access that beach. There are two
4 vertical access ways. But there is no bathroom facility.
5 There's no parking, except along Broad Beach Road itself.
6 If we're putting in a \$12 million public amenity, we don't
7 have a good way for the public to access it.

8 I suggested in the comments that I filed with you
9 by mail the lot across Broad Beach Road to its north
10 between Broad Beach Road and Pacific Coast Highway is
11 publicly owned. And there is a bluff there. So you can't
12 get up the bluff. The top of that lot, the top of that
13 bluff is where the 27 miles of scenic beauty is if you
14 drive in from Ventura. Tour buses stop. Tourists stop
15 there. People are always getting their picture taken.
16 It's beautiful. Overlooks the houses.

17 This might be a win-win solution where if we put
18 public parking up there with access ways down the bluff
19 face to the two vertical access ways, the homeowners
20 aren't going to have as many people down on their street
21 parking and getting in the way and leaving trash,
22 whatever. You can put trash barrels up and make that a
23 real public amenity. And I hope you consider that. I
24 offered it in the writing.

25 If we're going to build a marvelous public beach,

1 we need to have a way for the public to access it. If you
2 don't add that park, they're going to access it by doing
3 what they do now on a heavy beach day, and that's parking
4 in my neighborhood. That's fine. We like visitors. But
5 they park at Surfside Way off Guernsey Avenue and clog up
6 our end of the beach and walk up Broad Beach. That's
7 fair. It was like that when we moved in. But let's share
8 the load.

9 Thanks for your consideration.

10 I do have a question -- and that was a statement.

11 How are you going to taper the beach at the end?
12 How are you going to deal with the interface between your
13 nourishment project, the lagoon, and Zuma Beach?

14 MR. BOUDREAU: I think -- I would be happy to
15 answer those. I know that's something that will be
16 definitely addressed in the EIR. But it won't be just cut
17 off. It will be tapered gradually over a certain amount
18 of distance like we do elsewhere on the beach nourishment
19 project.

20 MR. LAETZ: Sure. But you probably have to taper
21 it in front of Zuma Beach, right?

22 MR. BOUDREAU: Yeah. We haven't really gone that
23 far as how we taper the end effect. But that's something
24 that would definitely be looked at as well as --

25 MR. LAETZ: That's appreciated and makes sense.

1 That's where I swim every day. So my selfish question:
2 What are you going to do to the waves there, where I go
3 body surfing every day? And like I say, waves, shape, and
4 I don't have to tell you how important that is. But it's
5 going to be different where your taper is than where it's
6 flat. So look out for me there. Thank you.

7 STAFF ENVIRONMENTAL SCIENTIST SPURR: Thank you.

8 Are there any other questions on the project?

9 We've already started the public comment so --

10 MR. LAETZ: Sorry.

11 STAFF ENVIRONMENTAL SCIENTIST SPURR: That's
12 fine. We'll continue with public comment. Do you have
13 any other comments?

14 MR. LAETZ: No. I want to make sure everybody
15 knows we really weren't complaining about the noise and
16 the lights. We want to stay out of the way on that one.

17 STAFF ENVIRONMENTAL SCIENTIST SPURR: Okay.
18 Thank you.

19 Thomas Kazberian.

20 MR. KAZBERIAN: Thomas Kazberian. Thank you.

21 I represent one of the property owners on Little
22 Broad Beach Road. She has a concern whether or not this
23 project is necessary to protect her home and whether or
24 not the homes on Little Broad Beach Road really face many
25 of the same issues as the homes that are off of Broad

1 Beach Road.

2 So I would ask that the draft EIR investigate the
3 necessity of this project for the entire length that's
4 contemplated so there is examination of that. In
5 particular, any differences between the homes in front of
6 Little Broad Beach Road that's more to the west as was
7 described before, and specifically require that the draft
8 EIR examines one of its alternatives a project that's not
9 as extensive as this one, not be the entire length or
10 maybe would not be fully contagious if that's not
11 necessary as well.

12 Lastly, I anticipated that there would certainly
13 be some call for -- and I understood Mr. Lautz actually to
14 raise this issue, too -- for construction for increased
15 public parking. Given that I think that's going to be
16 very possibly called for by some members of the public and
17 may eventually become part of the project, we can
18 anticipate also, of course, a great deal more beach
19 traffic. And those impacts certainly would need to be
20 investigated and appropriate mitigation proposed for those
21 impacts, because certainly with that kind of increased
22 traffic both on the beach as well as up the block, that's
23 certainly going to create all sorts of different
24 environmental impacts. And those will need to be
25 investigated and appropriate mitigation proposed.

1 Thank you.

2 STAFF ENVIRONMENTAL SCIENTIST SPURR: Thank you.

3 Is there anyone else who would like to speak? We
4 have speaker slips. I'd appreciate it if you would write
5 your name on the speaker slip on the table and I'll call
6 you up.

7 Is there anyone else?

8 We've already gone through the presentation, for
9 those of you coming in. We have a sign-up sheet on the
10 table. Is there anyone who would like to provide
11 comments?

12 Do we have any other comments? Any further
13 comments?

14 All right. We don't have any further comments or
15 any questions. We'll take any more questions if you have
16 any questions. So we're going to go ahead and close this
17 scoping meeting. But we're going to stick around until
18 about 7:00 if you have any questions.

19 (Whereupon the meeting concluded at 6:41 p.m.)
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CERTIFICATE OF REPORTER

I, TIFFANY C. KRAFT, a Certified Shorthand Reporter of the State of California, and Registered Professional Reporter, do hereby certify:

That I am a disinterested person herein; that the foregoing hearing was reported in shorthand by me, Tiffany C. Kraft, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of May, 2011.

TIFFANY C. KRAFT, CSR, RPR
Certified Shorthand Reporter
License No. 12277